

AMENDED IN ASSEMBLY MAY 23, 2014

AMENDED IN ASSEMBLY MARCH 17, 2014

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 1892

Introduced by Assembly Member Bocanegra

February 19, 2014

An act to amend Sections ~~2574, 42238.02, 52060, 52060~~ and 52066 of, *and to amend, repeal, and add Sections 2574 and 42238.02 of*, the Education Code, relating to pupils.

LEGISLATIVE COUNSEL'S DIGEST

AB 1892, as amended, Bocanegra. Pupils redesignated as fluent English proficient.

(1) Existing law establishes a public school financing system that requires state funding for county superintendents of schools, school districts, and charter schools to be calculated pursuant to a local control funding formula, as specified. Existing law requires funding pursuant to the local control funding formula to include, in addition to a base grant, supplemental and concentration grant add-ons that are based on the percentage of certain categories of pupils, known as unduplicated pupils, served by the county superintendent of schools, school district, or charter school. Existing law includes among unduplicated pupils, a pupil who is classified as an English learner, eligible for a free or reduced-price meal, or a foster youth, as defined, and requires county superintendents of schools, school districts, and charter schools to submit and report data relating to these pupils.

This bill, *until statewide pupil redesignation standards are adopted after January 1, 2015, by statute or regulation, or until July 1, 2018,*

whichever occurs first, would include a pupil who is redesignated as fluent English proficient, as specified, as an unduplicated pupil. The bill would authorize a county superintendent of schools, school district, or charter school to receive *a specified percentage of the* supplemental and concentration grant add-ons for pupils redesignated as fluent English proficient for the 2 consecutive fiscal years following ~~redesignation~~. *redesignation, as specified*. By requiring county superintendents of schools, school districts, and charter schools to also submit and report data related to pupils redesignated as fluent English proficient, the bill would impose a state-mandated local program.

(2) Existing law, on or before July 1, 2014, requires the governing board of each school district and each county board of education to adopt a local control and accountability plan and requires the governing board of each school district and each county board of education to update its local control and accountability plan before July 1 of each year. Existing law requires a local control and accountability plan to include, among other things, a description of the annual goals to be achieved for each state priority, as specified, for all pupils and certain subgroups of pupils. *Existing law requires a charter school petition to contain, among other things, a reasonably comprehensive description of annual goals to be achieved in each applicable state priority, as specified, for all pupils and certain subgroups of pupils, and specific annual actions to achieve those goals. Existing law requires a charter school to annually update the goals and annual actions to achieve those goals, as specified.* Existing law provides that, among other things, implementation of the academic content and performance standards adopted by the State Board of Education is a state priority.

This bill would add, within that state ~~priority and as a condition of receiving supplemental and concentration grant add-ons for pupils redesignated as fluent English proficient~~, *priority*, identification of any specialized programs or services provided to pupils redesignated as fluent English proficient in order for them to maintain proficiency in English and access the common core academic content standards, adopted as specified, and a broad course of study that includes certain subject areas. By requiring the governing board of each school district and each county board of education to include additional information in the local control and accountability plan, *and requiring each charter school to include additional information in its annual goals*, the bill would impose a state-mandated local program.

(3) The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 2574 of the Education Code is amended
2 to read:
3 2574. For the 2013–14 fiscal year and for each fiscal year
4 thereafter, the Superintendent annually shall calculate a county
5 local control funding formula for each county superintendent of
6 schools as follows:
7 (a) Compute a county office of education operations grant equal
8 to the sum of each of the following amounts:
9 (1) Six hundred fifty-five thousand nine hundred twenty dollars
10 (\$655,920).
11 (2) One hundred nine thousand three hundred twenty dollars
12 (\$109,320) multiplied by the number of school districts for which
13 the county superintendent of schools has jurisdiction pursuant to
14 Section 1253.
15 (3) (A) Seventy dollars (\$70) multiplied by the number of units
16 of countywide average daily attendance, up to a maximum of
17 30,000 units.
18 (B) Sixty dollars (\$60) multiplied by the number of units of
19 countywide average daily attendance for the portion of countywide
20 average daily attendance, if any, above 30,000 units, up to a
21 maximum of 60,000 units.
22 (C) Fifty dollars (\$50) multiplied by the number of units of
23 countywide average daily attendance for the portion of countywide
24 average daily attendance, if any, above 60,000, up to a maximum
25 of 140,000 units.
26 (D) Forty dollars (\$40) multiplied by the number of units of
27 countywide average daily attendance for the portion of countywide
28 average daily attendance, if any, above 140,000 units.

(E) For purposes of this section, countywide average daily attendance means the aggregate number of annual units of average daily attendance within the county attributable to all school districts for which the county superintendent of schools has jurisdiction pursuant to Section 1253, charter schools authorized by school districts for which the county superintendent of schools has jurisdiction, and charter schools authorized by the county superintendent of schools.

(4) For the 2014–15 fiscal year and each fiscal year thereafter, adjust each of the rates provided in the prior year pursuant to paragraphs (1), (2), and (3) by the percentage change in the annual average value of the Implicit Price Deflator for State and Local Government Purchases of Goods and Services for the United States, as published by the United States Department of Commerce for the 12-month period ending in the third quarter of the prior fiscal year. This percentage change shall be determined using the latest data available as of May 10 of the preceding fiscal year compared with the annual average value of the same deflator for the 12-month period ending in the third quarter of the second preceding fiscal year, using the latest data available as of May 10 of the preceding fiscal year, as reported by the Department of Finance.

(b) Determine the enrollment percentage of unduplicated pupils pursuant to the following:

(1) (A) For the 2013–14 fiscal year, divide the enrollment of unduplicated pupils in all schools operated by a county superintendent of schools in the 2013–14 fiscal year by the total enrollment in those schools in the 2013–14 fiscal year.

(B) For the 2014–15 fiscal year, divide the sum of the enrollment of unduplicated pupils in all schools operated by a county superintendent of schools in the 2013–14 and 2014–15 fiscal years by the sum of the total enrollment in those schools in the 2013–14 and 2014–15 fiscal years.

(C) For the 2015–16 fiscal year and each fiscal year thereafter, divide the sum of the enrollment of unduplicated pupils in all schools operated by a county superintendent of schools in the current fiscal year and the two prior fiscal years by the sum of the total enrollment in those schools in the current fiscal year and the two prior fiscal years.

(D) For purposes of determining the enrollment percentage of unduplicated pupils pursuant to this subdivision, enrollment in

1 schools or classes established pursuant to Article 2.5 (commencing
2 with Section 48645) of Chapter 4 of Part 27 of Division 4 of Title
3 2 and the enrollment of pupils other than the pupils identified in
4 clauses (i) to (iii), inclusive, of subparagraph (A) of paragraph (4)
5 of subdivision (c), shall be excluded from the calculation of the
6 enrollment percentage of unduplicated pupils.

7 (2) For purposes of this section, an “unduplicated pupil” is a
8 pupil who is classified as an English learner, eligible for a free or
9 reduced-price meal, a foster youth, or redesignated as fluent English
10 proficient pursuant to Section 313. For purposes of this section,
11 the definitions in Section 42238.01 of an English learner, a pupil
12 eligible for a free or reduced-price meal, and foster youth shall
13 apply. A pupil shall be counted only once for purposes of this
14 section if any of the following apply:

15 (A) The pupil is classified as an English learner and is eligible
16 for a free or reduced-price meal.

17 (B) The pupil is classified as an English learner and is a foster
18 youth.

19 (C) The pupil is eligible for a free or reduced-price meal and is
20 classified as a foster youth.

21 (D) The pupil is classified as an English learner, is eligible for
22 a free or reduced-price meal, and is a foster youth.

23 (E) The pupil is redesignated as fluent English proficient
24 pursuant to Section 313 and meets the requirements of
25 subparagraph (B) of paragraph (2) of, and subparagraph (C) of
26 paragraph (3) of, subdivision (c), and is eligible for a free or
27 reduced-price meal, or is a foster youth, or both.

28 (3) (A) Under procedures and timeframes established by the
29 Superintendent, commencing with the 2013–14 fiscal year, a county
30 superintendent of schools annually shall report the enrollment of
31 unduplicated pupils, pupils classified as English learners, pupils
32 eligible for free and reduced-price meals, foster youth, and pupils
33 redesignated as fluent English proficient in schools operated by
34 the county superintendent of schools to the Superintendent using
35 the California Longitudinal Pupil Achievement Data System.

36 (B) The Superintendent shall make the calculations pursuant to
37 this section using the data submitted through the California
38 Longitudinal Pupil Achievement Data System.

39 (C) The Controller shall include instructions, as appropriate, in
40 the audit guide required by subdivision (a) of Section 14502.1, for

determining if the data reported by a county superintendent of schools using the California Longitudinal Pupil Achievement Data System is consistent with pupil data records maintained by the county office of education.

(c) Compute an alternative education grant equal to the sum of the following:

(1) (A) For the 2013–14 fiscal year, a base grant equal to the 2012–13 per pupil undeficitated statewide average juvenile court school base revenue limit calculated pursuant to Article 3 (commencing with Section 2550) of Chapter 12, as that article read on January 1, 2013.

(B) Commencing with the 2013–14 fiscal year, the per pupil base grant shall be adjusted by the percentage change in the annual average value of the Implicit Price Deflator for State and Local Government Purchases of Goods and Services for the United States, as published by the United States Department of Commerce for the 12-month period ending in the third quarter of the prior fiscal year. This percentage change shall be determined using the latest data available as of May 10 of the preceding fiscal year compared with the annual average value of the same deflator for the 12-month period ending in the third quarter of the second preceding fiscal year, using the latest data available as of May 10 of the preceding fiscal year, as reported by the Department of Finance.

(2) (A) A supplemental grant equal to 35 percent of the base grant described in paragraph (1) multiplied by the enrollment percentage calculated in subdivision (b). The supplemental grant shall be expended in accordance with the regulations adopted pursuant to Section 42238.07.

(B) (i) A county superintendent of schools shall receive 50 percent of the supplemental grant calculated pursuant to subparagraph (A) for a pupil redesignated as fluent English proficient pursuant to Section 313 for the ~~two consecutive first~~ fiscal years year after the pupil has been redesignated as fluent English proficient.

(ii) A county superintendent of schools shall receive 25 percent of the supplemental grant calculated pursuant to subparagraph (A) for a pupil redesignated as fluent English proficient pursuant to Section 313 for the second fiscal year after the pupil has been redesignated as fluent English proficient.

1 (3) (A) A concentration grant equal to 35 percent of the base
2 grant described in paragraph (1) multiplied by the greater of either
3 of the following:

4 (i) The enrollment percentage calculated in subdivision (b) less
5 50 percent.

6 (ii) Zero.

7 (B) The concentration grant shall be expended in accordance
8 with the regulations adopted pursuant to Section 42238.07.

9 (C) (i) A county superintendent of schools shall receive 50
10 percent of the concentration grant calculated pursuant to
11 subparagraph (A) for a pupil redesignated as fluent English
12 proficient pursuant to Section 313 for the ~~two consecutive first~~
13 fiscal ~~years~~ year after the pupil has been redesignated as fluent
14 English proficient.

15 (ii) A county superintendent of schools shall receive 25 percent
16 of the concentration grant calculated pursuant to subparagraph
17 (A) for a pupil redesignated as fluent English proficient pursuant
18 to Section 313 for the second fiscal year after the pupil has been
19 redesignated as fluent English proficient.

20 (4) (A) Multiply the sum of paragraphs (1), (2), and (3) by the
21 total number of units of average daily attendance for pupils
22 attending schools operated by a county superintendent of schools,
23 excluding units of average daily attendance for pupils attending
24 schools or classes established pursuant to Article 2.5 (commencing
25 with Section 48645) of Chapter 4 of Part 27 of Division 4 of Title
26 2, who are enrolled pursuant to any of the following:

27 (i) Probation-referred pursuant to Sections 300, 601, 602, and
28 654 of the Welfare and Institutions Code.

29 (ii) On probation or parole and not in attendance in a school.

30 (iii) Expelled for any of the reasons specified in subdivision (a)
31 or (c) of Section 48915.

32 (B) Multiply the number of units of average daily attendance
33 for pupils attending schools or classes established pursuant to
34 Article 2.5 (commencing with Section 48645) of Chapter 4 of Part
35 27 of Division 4 of Title 2 by the sum of the base grant calculated
36 pursuant to paragraph (1), a supplemental grant equal to 35 percent
37 of the base grant calculated pursuant to paragraph (1), and a
38 concentration grant equal to 17.5 percent of the base grant
39 calculated pursuant to paragraph (1). Funds provided for the
40 supplemental and concentration grants pursuant to this calculation

1 shall be expended in accordance with the regulations adopted
2 pursuant to Section 42238.07.

3 (C) Add the amounts calculated in subparagraphs (A) and (B).

4 (d) Add the amount calculated in subdivision (a) to the amount
5 calculated in subparagraph (C) of paragraph (4) of subdivision (c).

6 (e) Add all of the following to the amount calculated in
7 subdivision (d):

8 (1) The amount of funding a county superintendent of schools
9 received for the 2012–13 fiscal year from funds allocated pursuant
10 to the Targeted Instructional Improvement Block Grant program,
11 as set forth in Article 6 (commencing with Section 41540) of
12 Chapter 3.2 of Part 24 of Division 3 of Title 2, as that article read
13 on January 1, 2013.

14 (2) (A) The amount of funding a county superintendent of
15 schools received for the 2012–13 fiscal year from funds allocated
16 pursuant to the Home-to-School Transportation program, as set
17 forth in Article 2 (commencing with Section 39820) of Chapter 1
18 of Part 23.5 of Division 3 of Title 2, Article 10 (commencing with
19 Section 41850) of Chapter 5 of Part 24 of Division 3 of Title 2,
20 and the Small School District Transportation program, as set forth
21 in Article 4.5 (commencing with Section 42290) of Chapter 7 of
22 Part 24 of Division 3 of Title 2, as those articles read on January
23 1, 2013.

24 (B) On or before March 1, 2014, the Legislative Analyst’s Office
25 shall submit recommendations to the fiscal committees of both
26 houses of the Legislature regarding revisions to the methods of
27 funding pupil transportation that address historical funding
28 inequities across county offices of education and school districts
29 and improve incentives for local educational agencies to provide
30 efficient and effective pupil transportation services.

31 *(f) This section shall become inoperative upon the adoption of*
32 *statewide pupil redesignation standards after January 1, 2015, by*
33 *statute or regulation, or on July 1, 2018, whichever occurs first,*
34 *and, as of January 1, 2019, is repealed, unless a later enacted*
35 *statute, that becomes operative on or before January 1, 2019,*
36 *deletes or extends the conditions on which it becomes inoperative*
37 *and is repealed.*

38 SEC. 2. Section 2574 is added to the Education Code, to read:

39 2574. For the 2013–14 fiscal year and for each fiscal year
40 thereafter, the Superintendent annually shall calculate a county

1 *local control funding formula for each county superintendent of*
2 *schools as follows:*

3 *(a) Compute a county office of education operations grant equal*
4 *to the sum of each of the following amounts:*

5 *(1) Six hundred fifty-five thousand nine hundred twenty dollars*
6 *(\$655,920).*

7 *(2) One hundred nine thousand three hundred twenty dollars*
8 *(\$109,320) multiplied by the number of school districts for which*
9 *the county superintendent of schools has jurisdiction pursuant to*
10 *Section 1253.*

11 *(3) (A) Seventy dollars (\$70) multiplied by the number of units*
12 *of countywide average daily attendance, up to a maximum of*
13 *30,000 units.*

14 *(B) Sixty dollars (\$60) multiplied by the number of units of*
15 *countywide average daily attendance for the portion of countywide*
16 *average daily attendance, if any, above 30,000 units, up to a*
17 *maximum of 60,000 units.*

18 *(C) Fifty dollars (\$50) multiplied by the number of units of*
19 *countywide average daily attendance for the portion of countywide*
20 *average daily attendance, if any, above 60,000, up to a maximum*
21 *of 140,000 units.*

22 *(D) Forty dollars (\$40) multiplied by the number of units of*
23 *countywide average daily attendance for the portion of countywide*
24 *average daily attendance, if any, above 140,000 units.*

25 *(E) For purposes of this section, countywide average daily*
26 *attendance means the aggregate number of annual units of average*
27 *daily attendance within the county attributable to all school*
28 *districts for which the county superintendent of schools has*
29 *jurisdiction pursuant to Section 1253, charter schools authorized*
30 *by school districts for which the county superintendent of schools*
31 *has jurisdiction, and charter schools authorized by the county*
32 *superintendent of schools.*

33 *(4) For the 2014–15 fiscal year and each fiscal year thereafter,*
34 *adjust each of the rates provided in the prior year pursuant to*
35 *paragraphs (1), (2), and (3) by the percentage change in the annual*
36 *average value of the Implicit Price Deflator for State and Local*
37 *Government Purchases of Goods and Services for the United*
38 *States, as published by the United States Department of Commerce*
39 *for the 12-month period ending in the third quarter of the prior*
40 *fiscal year. This percentage change shall be determined using the*

1 latest data available as of May 10 of the preceding fiscal year
2 compared with the annual average value of the same deflator for
3 the 12-month period ending in the third quarter of the second
4 preceding fiscal year, using the latest data available as of May 10
5 of the preceding fiscal year, as reported by the Department of
6 Finance.

7 (b) Determine the enrollment percentage of unduplicated pupils
8 pursuant to the following:

9 (1) (A) For the 2013–14 fiscal year, divide the enrollment of
10 unduplicated pupils in all schools operated by a county
11 superintendent of schools in the 2013–14 fiscal year by the total
12 enrollment in those schools in the 2013–14 fiscal year.

13 (B) For the 2014–15 fiscal year, divide the sum of the enrollment
14 of unduplicated pupils in all schools operated by a county
15 superintendent of schools in the 2013–14 and 2014–15 fiscal years
16 by the sum of the total enrollment in those schools in the 2013–14
17 and 2014–15 fiscal years.

18 (C) For the 2015–16 fiscal year and each fiscal year thereafter,
19 divide the sum of the enrollment of unduplicated pupils in all
20 schools operated by a county superintendent of schools in the
21 current fiscal year and the two prior fiscal years by the sum of the
22 total enrollment in those schools in the current fiscal year and the
23 two prior fiscal years.

24 (D) For purposes of determining the enrollment percentage of
25 unduplicated pupils pursuant to this subdivision, enrollment in
26 schools or classes established pursuant to Article 2.5 (commencing
27 with Section 48645) of Chapter 4 of Part 27 of Division 4 of Title
28 2 and the enrollment of pupils other than the pupils identified in
29 clauses (i) to (iii), inclusive, of subparagraph (A) of paragraph
30 (4) of subdivision (c), shall be excluded from the calculation of
31 the enrollment percentage of unduplicated pupils.

32 (2) For purposes of this section, an “unduplicated pupil” is a
33 pupil who is classified as an English learner, eligible for a free or
34 reduced-price meal, or a foster youth. For purposes of this section,
35 the definitions in Section 42238.01 of an English learner, a pupil
36 eligible for a free or reduced-price meal, and foster youth shall
37 apply. A pupil shall be counted only once for purposes of this
38 section if any of the following apply:

39 (A) The pupil is classified as an English learner and is eligible
40 for a free or reduced-price meal.

1 (B) *The pupil is classified as an English learner and is a foster*
2 *youth.*

3 (C) *The pupil is eligible for a free or reduced-price meal and*
4 *is classified as a foster youth.*

5 (D) *The pupil is classified as an English learner, is eligible for*
6 *a free or reduced-price meal, and is a foster youth.*

7 (3) (A) *Under procedures and timeframes established by the*
8 *Superintendent, commencing with the 2013–14 fiscal year, a county*
9 *superintendent of schools annually shall report the enrollment of*
10 *unduplicated pupils, pupils classified as English learners, pupils*
11 *eligible for free and reduced-price meals, and foster youth in*
12 *schools operated by the county superintendent of schools to the*
13 *Superintendent using the California Longitudinal Pupil*
14 *Achievement Data System.*

15 (B) *The Superintendent shall make the calculations pursuant*
16 *to this section using the data submitted through the California*
17 *Longitudinal Pupil Achievement Data System.*

18 (C) *The Controller shall include instructions, as appropriate,*
19 *in the audit guide required by subdivision (a) of Section 14502.1,*
20 *for determining if the data reported by a county superintendent of*
21 *schools using the California Longitudinal Pupil Achievement Data*
22 *System is consistent with pupil data records maintained by the*
23 *county office of education.*

24 (c) *Compute an alternative education grant equal to the sum of*
25 *the following:*

26 (1) (A) *For the 2013–14 fiscal year, a base grant equal to the*
27 *2012–13 per pupil undeficitated statewide average juvenile court*
28 *school base revenue limit calculated pursuant to Article 3*
29 *(commencing with Section 2550) of Chapter 12, as that article*
30 *read on January 1, 2013.*

31 (B) *Commencing with the 2013–14 fiscal year, the per pupil*
32 *base grant shall be adjusted by the percentage change in the*
33 *annual average value of the Implicit Price Deflator for State and*
34 *Local Government Purchases of Goods and Services for the United*
35 *States, as published by the United States Department of Commerce*
36 *for the 12-month period ending in the third quarter of the prior*
37 *fiscal year. This percentage change shall be determined using the*
38 *latest data available as of May 10 of the preceding fiscal year*
39 *compared with the annual average value of the same deflator for*
40 *the 12-month period ending in the third quarter of the second*

1 preceding fiscal year, using the latest data available as of May 10
2 of the preceding fiscal year, as reported by the Department of
3 Finance.

4 (2) (A) A supplemental grant equal to 35 percent of the base
5 grant described in paragraph (1) multiplied by the enrollment
6 percentage calculated in subdivision (b). The supplemental grant
7 shall be expended in accordance with the regulations adopted
8 pursuant to Section 42238.07.

9 (B) If a pupil has been redesignated as fluent English proficient
10 pursuant to Section 313 before this section is operative and a
11 county superintendent of schools has not already received, for the
12 first fiscal year after the pupil has been redesignated as fluent
13 English proficient, 50 percent of, and for the second fiscal year
14 after the pupil has been redesignated as fluent English proficient,
15 25 percent of, the supplemental grant calculated pursuant to
16 subparagraph (A), the county superintendent of schools shall
17 receive the applicable percentage of the supplemental grant
18 calculated pursuant to subparagraph (A) for the pupil redesignated
19 as fluent English proficient until he or she has received the
20 applicable percentage of the supplemental grant for the applicable
21 fiscal year.

22 (3) (A) A concentration grant equal to 35 percent of the base
23 grant described in paragraph (1) multiplied by the greater of either
24 of the following:

25 (i) The enrollment percentage calculated in subdivision (b) less
26 50 percent.

27 (ii) Zero.

28 (B) The concentration grant shall be expended in accordance
29 with the regulations adopted pursuant to Section 42238.07.

30 (C) If a pupil has been redesignated as fluent English proficient
31 pursuant to Section 313 before this section is operative and a
32 county superintendent of schools has not already received, for the
33 first fiscal year after the pupil has been redesignated as fluent
34 English proficient, 50 percent of, and for the second fiscal year
35 after the pupil has been redesignated as fluent English proficient,
36 25 percent of, the concentration grant calculated pursuant to
37 subparagraph (A), the county superintendent of schools shall
38 receive the applicable percentage of the concentration grant
39 calculated pursuant to subparagraph (A) for the pupil redesignated
40 as fluent English proficient until he or she has received the

1 *applicable percentage of the concentration grant for the applicable*
2 *fiscal year.*

3 *(4) (A) Multiply the sum of paragraphs (1), (2), and (3) by the*
4 *total number of units of average daily attendance for pupils*
5 *attending schools operated by a county superintendent of schools,*
6 *excluding units of average daily attendance for pupils attending*
7 *schools or classes established pursuant to Article 2.5 (commencing*
8 *with Section 48645) of Chapter 4 of Part 27 of Division 4 of Title*
9 *2, who are enrolled pursuant to any of the following:*

10 *(i) Probation-referred pursuant to Sections 300, 601, 602, and*
11 *654 of the Welfare and Institutions Code.*

12 *(ii) On probation or parole and not in attendance in a school.*

13 *(iii) Expelled for any of the reasons specified in subdivision (a)*
14 *or (c) of Section 48915.*

15 *(B) Multiply the number of units of average daily attendance*
16 *for pupils attending schools or classes established pursuant to*
17 *Article 2.5 (commencing with Section 48645) of Chapter 4 of Part*
18 *27 of Division 4 of Title 2 by the sum of the base grant calculated*
19 *pursuant to paragraph (1), a supplemental grant equal to 35*
20 *percent of the base grant calculated pursuant to paragraph (1),*
21 *and a concentration grant equal to 17.5 percent of the base grant*
22 *calculated pursuant to paragraph (1). Funds provided for the*
23 *supplemental and concentration grants pursuant to this calculation*
24 *shall be expended in accordance with the regulations adopted*
25 *pursuant to Section 42238.07.*

26 *(C) Add the amounts calculated in subparagraphs (A) and (B).*

27 *(d) Add the amount calculated in subdivision (a) to the amount*
28 *calculated in subparagraph (C) of paragraph (4) of subdivision*
29 *(c).*

30 *(e) Add all of the following to the amount calculated in*
31 *subdivision (d):*

32 *(1) The amount of funding a county superintendent of schools*
33 *received for the 2012–13 fiscal year from funds allocated pursuant*
34 *to the Targeted Instructional Improvement Block Grant program,*
35 *as set forth in Article 6 (commencing with Section 41540) of*
36 *Chapter 3.2 of Part 24 of Division 3 of Title 2, as that article read*
37 *on January 1, 2013.*

38 *(2) (A) The amount of funding a county superintendent of*
39 *schools received for the 2012–13 fiscal year from funds allocated*
40 *pursuant to the Home-to-School Transportation program, as set*

1 forth in Article 2 (commencing with Section 39820) of Chapter 1
2 of Part 23.5 of Division 3 of Title 2, Article 10 (commencing with
3 Section 41850) of Chapter 5 of Part 24 of Division 3 of Title 2,
4 and the Small School District Transportation program, as set forth
5 in Article 4.5 (commencing with Section 42290) of Chapter 7 of
6 Part 24 of Division 3 of Title 2, as those articles read on January
7 1, 2013.

8 (B) On or before March 1, 2014, the Legislative Analyst's Office
9 shall submit recommendations to the fiscal committees of both
10 houses of the Legislature regarding revisions to the methods of
11 funding pupil transportation that address historical funding
12 inequities across county offices of education and school districts
13 and improve incentives for local educational agencies to provide
14 efficient and effective pupil transportation services.

15 (f) This section shall become operative upon the adoption of
16 statewide pupil redesignation standards after January 1, 2015, by
17 statute or regulation, or on July 1, 2018, whichever occurs first.

18 ~~SEC. 2.~~

19 SEC. 3. Section 42238.02 of the Education Code is amended
20 to read:

21 42238.02. (a) The amount computed pursuant to this section
22 shall be known as the school district and charter school local
23 control funding formula.

24 (b) (1) For purposes of this section "unduplicated pupil" means
25 a pupil enrolled in a school district or a charter school who is
26 classified as an English learner, eligible for a free or reduced-price
27 meal, a foster youth, or redesignated as fluent English proficient
28 pursuant to Section 313. A pupil shall be counted only once for
29 purposes of this section if any of the following apply:

30 (A) The pupil is classified as an English learner and is eligible
31 for a free or reduced-price meal.

32 (B) The pupil is classified as an English learner and is a foster
33 youth.

34 (C) The pupil is eligible for a free or reduced-price meal and is
35 classified as a foster youth.

36 (D) The pupil is classified as an English learner, is eligible for
37 a free or reduced-price meal, and is a foster youth.

38 (E) The pupil is redesignated as fluent English proficient
39 pursuant to Section 313 and meets the requirements of paragraph
40 (2) of subdivision (e) and paragraph (3) of subdivision (f), and is

1 eligible for a free or reduced-price meal, or is a foster youth, or
2 both.

3 (2) Under procedures and timeframes established by the
4 Superintendent, commencing with the 2013–14 fiscal year, a school
5 district or charter school shall annually submit its enrolled free
6 and reduced-price meal eligibility, foster youth, English learner,
7 and redesignated as fluent English proficient pupil-level records
8 for enrolled pupils to the Superintendent using the California
9 Longitudinal Pupil Achievement Data System.

10 (3) (A) Commencing with the 2013–14 fiscal year, a county
11 office of education shall review and validate certified aggregate
12 English learner, foster youth, free or reduced-price meal eligible,
13 and redesignated as fluent English proficient pupil data for school
14 districts and charter schools under its jurisdiction to ensure the
15 data is reported accurately. The Superintendent shall provide each
16 county office of education with appropriate access to school district
17 and charter school data reports in the California Longitudinal Pupil
18 Achievement Data System for purposes of ensuring data reporting
19 accuracy.

20 (B) The Controller shall include the instructions necessary to
21 enforce paragraph (2) in the audit guide required by Section
22 14502.1. The instructions shall include, but are not necessarily
23 limited to, procedures for determining if the English learner, foster
24 youth, free or reduced-price meal eligible, and redesignated as
25 fluent English proficient pupil counts are consistent with the school
26 district's or charter school's English learner, foster youth, free or
27 reduced-price meal eligible, and redesignated as fluent English
28 proficient pupil records.

29 (4) The Superintendent shall make the calculations pursuant to
30 this section using the data submitted by local educational agencies,
31 including charter schools, through the California Longitudinal
32 Pupil Achievement Data System. Under timeframes and procedures
33 established by the Superintendent, school districts and charter
34 schools may review and revise their submitted data on English
35 learner, foster youth, free or reduced-price meal eligible, and
36 redesignated as fluent English proficient pupil counts to ensure
37 the accuracy of data reflected in the California Longitudinal Pupil
38 Achievement Data System.

39 (5) The Superintendent shall annually compute the percentage
40 of unduplicated pupils for each school district and charter school

1 by dividing the enrollment of unduplicated pupils in a school
2 district or charter school by the total enrollment in that school
3 district or charter school pursuant to all of the following:

4 (A) For the 2013–14 fiscal year, divide the sum of unduplicated
5 pupils for the 2013–14 fiscal year by the sum of the total pupil
6 enrollment for the 2013–14 fiscal year.

7 (B) For the 2014–15 fiscal year, divide the sum of unduplicated
8 pupils for the 2013–14 and 2014–15 fiscal years by the sum of the
9 total pupil enrollment for the 2013–14 and 2014–15 fiscal years.

10 (C) For the 2015–16 fiscal year and each fiscal year thereafter,
11 divide the sum of unduplicated pupils for the current fiscal year
12 and the two prior fiscal years by the sum of the total pupil
13 enrollment for the current fiscal year and the two prior fiscal years.

14 (c) Commencing with the 2013–14 fiscal year and each fiscal
15 year thereafter, the Superintendent shall annually calculate a local
16 control funding formula grant for each school district and charter
17 school in the state pursuant to this section.

18 (d) The Superintendent shall compute a grade span adjusted
19 base grant equal to the total of the following amounts:

20 (1) For the 2013–14 fiscal year, a base grant of:

21 (A) Six thousand eight hundred forty-five dollars (\$6,845) for
22 average daily attendance in kindergarten and grades 1 to 3,
23 inclusive.

24 (B) Six thousand nine hundred forty-seven dollars (\$6,947) for
25 average daily attendance in grades 4 to 6, inclusive.

26 (C) Seven thousand one hundred fifty-four dollars (\$7,154) for
27 average daily attendance in grades 7 and 8.

28 (D) Eight thousand two hundred eighty-nine dollars (\$8,289)
29 for average daily attendance in grades 9 to 12, inclusive.

30 (2) In each year the grade span adjusted base grants in paragraph
31 (1) shall be adjusted by the percentage change in the annual average
32 value of the Implicit Price Deflator for State and Local Government
33 Purchases of Goods and Services for the United States, as published
34 by the United States Department of Commerce for the 12-month
35 period ending in the third quarter of the prior fiscal year. This
36 percentage change shall be determined using the latest data
37 available as of May 10 of the preceding fiscal year compared with
38 the annual average value of the same deflator for the 12-month
39 period ending in the third quarter of the second preceding fiscal

1 year, using the latest data available as of May 10 of the preceding
2 fiscal year, as reported by the Department of Finance.

3 (3) (A) The Superintendent shall compute an additional
4 adjustment to the kindergarten and grades 1 to 3, inclusive, base
5 grant as adjusted for inflation pursuant to paragraph (2) equal to
6 10.4 percent. The additional grant shall be calculated by
7 multiplying the kindergarten and grades 1 to 3, inclusive, base
8 grant, as adjusted by paragraph (2), by 10.4 percent.

9 (B) Until paragraph (4) of subdivision (b) of Section 42238.03
10 is effective, as a condition of the receipt of funds in this paragraph,
11 a school district shall make progress toward maintaining an average
12 class enrollment of not more than 24 pupils for each schoolsite in
13 kindergarten and grades 1 to 3, inclusive, unless a collectively
14 bargained alternative annual average class enrollment for each
15 schoolsite in those grades is agreed to by the school district,
16 pursuant to the following calculation:

17 (i) Determine a school district's average class enrollment for
18 each schoolsite for kindergarten and grades 1 to 3, inclusive, in
19 the prior year. For the 2013–14 fiscal year, this amount shall be
20 the average class enrollment for each schoolsite for kindergarten
21 and grades 1 to 3, inclusive, in the 2012–13 fiscal year.

22 (ii) Determine a school district's proportion of total need
23 pursuant to paragraph (2) of subdivision (b) of Section 42238.03.

24 (iii) Determine the percentage of the need calculated in clause
25 (ii) that is met by funding provided to the school district pursuant
26 to paragraph (3) of subdivision (b) of Section 42238.03.

27 (iv) Determine the difference between the amount computed
28 pursuant to clause (i) and an average class enrollment of not more
29 than 24 pupils.

30 (v) Calculate a current year average class enrollment adjustment
31 for each schoolsite for kindergarten and grades 1 to 3, inclusive,
32 equal to the adjustment calculated in clause (iv) multiplied by the
33 percentage determined pursuant to clause (iii).

34 (C) School districts that have an average class enrollment for
35 each schoolsite for kindergarten and grades 1 to 3, inclusive, of
36 24 pupils or less for each schoolsite in the 2012–13 fiscal year,
37 shall be exempt from the requirements of subparagraph (B) so long
38 as the school district continues to maintain an average class
39 enrollment for each schoolsite for kindergarten and grades 1 to 3,

1 inclusive, of not more than 24 pupils, unless a collectively
2 bargained alternative ratio is agreed to by the school district.

3 (D) Upon full implementation of the local control funding
4 formula, as a condition of the receipt of funds in this paragraph,
5 all school districts shall maintain an average class enrollment for
6 each schoolsite for kindergarten and grades 1 to 3, inclusive, of
7 not more than 24 pupils for each schoolsite in kindergarten and
8 grades 1 to 3, inclusive, unless a collectively bargained alternative
9 ratio is agreed to by the school district.

10 (E) The average class enrollment requirement for each schoolsite
11 for kindergarten and grades 1 to 3, inclusive, established pursuant
12 to this paragraph shall not be subject to waiver by the state board
13 pursuant to Section 33050 or by the Superintendent.

14 (F) The Controller shall include the instructions necessary to
15 enforce this paragraph in the audit guide required by Section
16 14502.1. The instructions shall include, but are not necessarily
17 limited to, procedures for determining if the average class
18 enrollment for each schoolsite for kindergarten and grades 1 to 3,
19 inclusive, exceeds 24 pupils, or an alternative average class
20 enrollment for each schoolsite pursuant to a collectively bargained
21 alternative ratio. The procedures for determining average class
22 enrollment for each schoolsite shall include criteria for employing
23 sampling.

24 (4) The Superintendent shall compute an additional adjustment
25 to the base grant for grades 9 to 12, inclusive, as adjusted for
26 inflation pursuant to paragraph (2), equal to 2.6 percent. The
27 additional grant shall be calculated by multiplying the base grant
28 for grades 9 to 12, inclusive, as adjusted by paragraph (2), by 2.6
29 percent.

30 (e) (1) The Superintendent shall compute a supplemental grant
31 add-on equal to 20 percent of the base grants as specified in
32 subparagraphs (A) to (D), inclusive, of paragraph (1) of subdivision
33 (d), as adjusted by paragraphs (2) to (4), inclusive, of subdivision
34 (d), for each school district's or charter school's percentage of
35 unduplicated pupils calculated pursuant to paragraph (5) of
36 subdivision (b). The supplemental grant shall be calculated by
37 multiplying the base grants as specified in subparagraphs (A) to
38 (D), inclusive, of paragraph (1), as adjusted by paragraphs (2) to
39 (4), inclusive, of subdivision (d), by 20 percent and by the
40 percentage of unduplicated pupils calculated pursuant to paragraph

(5) of subdivision (b) in that school district or charter school. The supplemental grant shall be expended in accordance with the regulations adopted pursuant to Section 42238.07.

(2) (A) A school district or charter school shall receive 50 percent of the supplemental grant add-on calculated pursuant to paragraph (1) for a pupil redesignated as fluent English proficient pursuant to Section 313 for the ~~two consecutive first~~ fiscal years year after the pupil has been redesignated as fluent English proficient.

(B) A school district or charter school shall receive 25 percent of the supplemental grant add-on calculated pursuant to paragraph (1) for a pupil redesignated as fluent English proficient pursuant to Section 313 for the second fiscal year after the pupil has been redesignated as fluent English proficient.

(f) (1) The Superintendent shall compute a concentration grant add-on equal to 50 percent of the base grants as specified in subparagraphs (A) to (D), inclusive, of paragraph (1) of subdivision (d), as adjusted by paragraphs (2) to (4), inclusive, of subdivision (d), for each school district's or charter school's percentage of unduplicated pupils calculated pursuant to paragraph (5) of subdivision (b) in excess of 55 percent of the school district's or charter school's total enrollment. The concentration grant shall be calculated by multiplying the base grants as specified in subparagraphs (A) to (D), inclusive, of paragraph (1) of subdivision (d), as adjusted by paragraphs (2) to (4), inclusive, of subdivision (d), by 50 percent and by the percentage of unduplicated pupils calculated pursuant to paragraph (5) of subdivision (b) in excess of 55 percent of the total enrollment in that school district or charter school.

(2) For a charter school physically located in only one school district, the percentage of unduplicated pupils calculated pursuant to paragraph (5) of subdivision (b) in excess of 55 percent used to calculate concentration grants shall not exceed the percentage of unduplicated pupils calculated pursuant to paragraph (5) of subdivision (b) in excess of 55 percent of the school district in which the charter school is physically located. For a charter school physically located in more than one school district, the charter school's percentage of unduplicated pupils calculated pursuant to paragraph (5) of subdivision (b) in excess of 55 percent used to calculate concentration grants shall not exceed that of the school

1 district with the highest percentage of unduplicated pupils
2 calculated pursuant to paragraph (5) of subdivision (b) in excess
3 of 55 percent of the school districts in which the charter school
4 has a school facility. The concentration grant shall be expended
5 in accordance with the regulations adopted pursuant to Section
6 42238.07.

7 (3) (A) A school district or charter school shall receive 50
8 percent of the concentration grant add-on calculated pursuant to
9 paragraph (1) for a pupil redesignated as fluent English proficient
10 pursuant to Section 313 for the ~~two consecutive~~ *first* fiscal years
11 year after the pupil has been redesignated as fluent English
12 proficient.

13 (B) A school district or charter school shall receive 25 percent
14 of the concentration grant add-on calculated pursuant to
15 paragraph (1) for a pupil redesignated as fluent English proficient
16 pursuant to Section 313 for the second fiscal year after the pupil
17 has been redesignated as fluent English proficient.

18 (g) The Superintendent shall compute an add-on to the total
19 sum of a school district's or charter school's base, supplemental,
20 and concentration grants equal to the amount of funding a school
21 district or charter school received from funds allocated pursuant
22 to the Targeted Instructional Improvement Block Grant program,
23 as set forth in Article 6 (commencing with Section 41540) of
24 Chapter 3.2, for the 2012–13 fiscal year, as that article read on
25 January 1, 2013. A school district or charter school shall not receive
26 a total funding amount from this add-on greater than the total
27 amount of funding received by the school district or charter school
28 from that program in the 2012–13 fiscal year. The amount
29 computed pursuant to this subdivision shall reflect the reduction
30 specified in paragraph (2) of subdivision (a) of Section 42238.03.

31 (h) The Superintendent shall compute an add-on to the total
32 sum of a school district's or charter school's base, supplemental,
33 and concentration grants equal to the amount of funding a school
34 district or charter school received from funds allocated pursuant
35 to the Home-to-School Transportation program, as set forth in
36 former Article 2 (commencing with Section 39820) of Chapter 1
37 of Part 23.5, former Article 10 (commencing with Section 41850)
38 of Chapter 5, and the Small School District Transportation
39 program, as set forth in former Article 4.5 (commencing with
40 Section 42290), for the 2012–13 fiscal year. A school district or

1 charter school shall not receive a total funding amount from this
2 add-on greater than the total amount received by the school district
3 or charter school for those programs in the 2012–13 fiscal year.
4 The amount computed pursuant to this subdivision shall reflect
5 the reduction specified in paragraph (2) of subdivision (a) of
6 Section 42238.03.

7 (i) (1) The sum of the local control funding formula rates
8 computed pursuant to subdivisions (c) to (f), inclusive, shall be
9 multiplied by:

10 (A) For school districts, the average daily attendance of the
11 school district in the corresponding grade level ranges computed
12 pursuant to Section 42238.05, excluding the average daily
13 attendance computed pursuant to paragraph (2) of subdivision (a)
14 of Section 42238.05 for purposes of the computation specified in
15 subdivision (d).

16 (B) For charter schools, the total current year average daily
17 attendance in the corresponding grade level ranges.

18 (2) The amount computed pursuant to Article 4 (commencing
19 with Section 42280) shall be added to the amount computed
20 pursuant to paragraphs (1) to (4), inclusive, of subdivision (d), as
21 multiplied by subparagraph (A) or (B) of paragraph (1), as
22 appropriate.

23 (j) The Superintendent shall adjust the sum of each school
24 district's or charter school's amount determined in subdivisions
25 (g) to (i), inclusive, pursuant to the calculation specified in Section
26 42238.03, less the sum of the following:

27 (1) (A) For school districts, the property tax revenue received
28 pursuant to Chapter 3.5 (commencing with Section 75) and Chapter
29 6 (commencing with Section 95) of Part 0.5 of Division 1 of the
30 Revenue and Taxation Code.

31 (B) For charter schools, the in-lieu property tax amount provided
32 to a charter school pursuant to Section 47635.

33 (2) The amount, if any, received pursuant to Part 18.5
34 (commencing with Section 38101) of Division 2 of the Revenue
35 and Taxation Code.

36 (3) The amount, if any, received pursuant to Chapter 3
37 (commencing with Section 16140) of Part 1 of Division 4 of Title
38 2 of the Government Code.

39 (4) Prior years' taxes and taxes on the unsecured roll.

1 (5) Fifty percent of the amount received pursuant to Section
2 41603.

3 (6) The amount, if any, received pursuant to the Community
4 Redevelopment Law (Part 1 (commencing with Section 33000)
5 of Division 24 of the Health and Safety Code), less any amount
6 received pursuant to Section 33401 or 33676 of the Health and
7 Safety Code that is used for land acquisition, facility construction,
8 reconstruction, or remodeling, or deferred maintenance and that
9 is not an amount received pursuant to Section 33492.15, or
10 paragraph (4) of subdivision (a) of Section 33607.5, or Section
11 33607.7 of the Health and Safety Code that is allocated exclusively
12 for educational facilities.

13 (7) The amount, if any, received pursuant to Sections 34177,
14 34179.5, 34179.6, 34183, and 34188 of the Health and Safety
15 Code.

16 (8) Revenue received pursuant to subparagraph (B) of paragraph
17 (3) of subdivision (e) of Section 36 of Article XIII of the California
18 Constitution.

19 (k) A school district shall annually transfer to each of its charter
20 schools funding in lieu of property taxes pursuant to Section 47635.

21 (l) (1) Nothing in this section shall be interpreted to authorize
22 a school district that receives funding on behalf of a charter school
23 pursuant to Section 47651 to redirect this funding for another
24 purpose unless otherwise authorized in law pursuant to paragraph
25 (2) or pursuant to an agreement between the charter school and its
26 chartering authority.

27 (2) A school district that received funding on behalf of a locally
28 funded charter school in the 2012–13 fiscal year pursuant to
29 paragraph (2) of subdivision (b) of Section 42605, Section 42606,
30 and subdivision (b) of Section 47634.1, as those sections read on
31 January 1, 2013, or a school district that was required to pass
32 through funding to a conversion charter school in the 2012–13
33 fiscal year pursuant to paragraph (2) of subdivision (b) of Section
34 42606, as that section read on January 1, 2013, may annually
35 redirect for another purpose a percentage of the amount of the
36 funding received on behalf of that charter school. The percentage
37 of funding that may be redirected shall be determined pursuant to
38 the following computation:

1 (A) (i) Determine the sum of the need fulfilled for that charter
2 school pursuant to paragraph (3) of subdivision (b) of Section
3 42238.03 in the then current fiscal year for the charter school.

4 (ii) Determine the sum of the need fulfilled in every fiscal year
5 before the then current fiscal year pursuant to paragraph (3) of
6 subdivision (b) of Section 42238.03 adjusted for changes in average
7 daily attendance pursuant to paragraph (3) of subdivision (a) of
8 Section 42238.03 for the charter school.

9 (iii) Subtract the amount computed pursuant to paragraphs (1)
10 to (3), inclusive, of subdivision (a) of Section 42238.03 from the
11 amount computed for that charter school under the local control
12 funding formula entitlement computed pursuant to subdivision ~~(i)~~
13 ~~(i)~~.

14 (iv) Compute a percentage by dividing the sum of the amounts
15 computed *pursuant* to clauses (i) and (ii) by the amount computed
16 pursuant to clause (iii).

17 (B) Multiply the percentage computed pursuant to subparagraph
18 (A) by the amount of funding the school district received on behalf
19 of the charter school in the 2012–13 fiscal year pursuant to
20 paragraph (2) of subdivision (b) of Section 42605, Section 42606,
21 and subdivision (b) of Section 47634.1, as those sections read on
22 January 1, 2013.

23 (C) The maximum amount that may be redirected shall be the
24 lesser of the amount of funding the school district received on
25 behalf of the charter school in the 2012–13 fiscal year pursuant to
26 paragraph (2) of subdivision (b) of Section 42605, Section 42606,
27 and subdivision (b) of Section 47634.1, as those sections read on
28 January 1, 2013, or the amount computed pursuant to subparagraph
29 (B).

30 (3) Commencing with the 2013–14 fiscal year, a school district
31 operating one or more affiliated charter schools shall provide each
32 affiliated charter school schoolsite with no less than the amount
33 of funding the schoolsite received pursuant to the charter school
34 block grant in the 2012–13 fiscal year.

35 (m) Any calculations in law that are used for purposes of
36 determining if a local educational agency is an excess tax school
37 entity or basic aid school district, including, but not limited to, this
38 section and Sections 42238.03, 41544, 47632, 47660, 47663,
39 48310, and 48359.5, and Section 95 of the Revenue and Taxation
40 Code, shall be made exclusive of the revenue received pursuant

1 to subparagraph (B) of paragraph (3) of subdivision (e) of Section
2 36 of Article XIII of the California Constitution.

3 (n) The funds apportioned pursuant to this section and Section
4 42238.03 shall be available to implement the activities required
5 pursuant to Article 4.5 (commencing with Section 52060) of
6 Chapter 6.1 of Part 28 of Division 4.

7 (o) A school district that does not receive an apportionment of
8 state funds pursuant to this section, as implemented pursuant to
9 Section 42238.03, excluding funds apportioned pursuant to the
10 requirements of subdivision (e) of Section 42238.03 shall be
11 considered a “basic aid school district” or an “excess tax entity.”

12 (p) *This section shall become inoperative upon the adoption of*
13 *statewide pupil redesignation standards after January 1, 2015, by*
14 *statute or regulation, or on July 1, 2018, whichever occurs first,*
15 *and, as of January 1, 2019, is repealed, unless a later enacted*
16 *statute, that becomes operative on or before January 1, 2019,*
17 *deletes or extends the conditions on which it becomes inoperative*
18 *and is repealed.*

19 SEC. 4. Section 42238.02 is added to the Education Code, to
20 read:

21 42238.02. (a) *The amount computed pursuant to this section*
22 *shall be known as the school district and charter school local*
23 *control funding formula.*

24 (b) (1) *For purposes of this section “unduplicated pupil” means*
25 *a pupil enrolled in a school district or a charter school who is*
26 *classified as an English learner, eligible for a free or reduced-price*
27 *meal, or is a foster youth. A pupil shall be counted only once for*
28 *purposes of this section if any of the following apply:*

29 (A) *The pupil is classified as an English learner and is eligible*
30 *for a free or reduced-price meal.*

31 (B) *The pupil is classified as an English learner and is a foster*
32 *youth.*

33 (C) *The pupil is eligible for a free or reduced-price meal and*
34 *is classified as a foster youth.*

35 (D) *The pupil is classified as an English learner, is eligible for*
36 *a free or reduced-price meal, and is a foster youth.*

37 (2) *Under procedures and timeframes established by the*
38 *Superintendent, commencing with the 2013–14 fiscal year, a school*
39 *district or charter school shall annually submit its enrolled free*
40 *and reduced-price meal eligibility, foster youth, and English*

1 *learner pupil-level records for enrolled pupils to the Superintendent*
2 *using the California Longitudinal Pupil Achievement Data System.*

3 (3) (A) *Commencing with the 2013–14 fiscal year, a county*
4 *office of education shall review and validate certified aggregate*
5 *English learner, foster youth, and free or reduced-price meal*
6 *eligible pupil data for school districts and charter schools under*
7 *its jurisdiction to ensure the data is reported accurately. The*
8 *Superintendent shall provide each county office of education with*
9 *appropriate access to school district and charter school data*
10 *reports in the California Longitudinal Pupil Achievement Data*
11 *System for purposes of ensuring data reporting accuracy.*

12 (B) *The Controller shall include the instructions necessary to*
13 *enforce paragraph (2) in the audit guide required by Section*
14 *14502.1. The instructions shall include, but are not necessarily*
15 *limited to, procedures for determining if the English learner, foster*
16 *youth, and free or reduced-price meal eligible pupil counts are*
17 *consistent with the school district's or charter school's English*
18 *learner, foster youth, and free or reduced-price meal eligible pupil*
19 *records.*

20 (4) *The Superintendent shall make the calculations pursuant to*
21 *this section using the data submitted by local educational agencies,*
22 *including charter schools, through the California Longitudinal*
23 *Pupil Achievement Data System. Under timeframes and procedures*
24 *established by the Superintendent, school districts and charter*
25 *schools may review and revise their submitted data on English*
26 *learner, foster youth, and free or reduced-price meal eligible pupil*
27 *counts to ensure the accuracy of data reflected in the California*
28 *Longitudinal Pupil Achievement Data System.*

29 (5) *The Superintendent shall annually compute the percentage*
30 *of unduplicated pupils for each school district and charter school*
31 *by dividing the enrollment of unduplicated pupils in a school*
32 *district or charter school by the total enrollment in that school*
33 *district or charter school pursuant to all of the following:*

34 (A) *For the 2013–14 fiscal year, divide the sum of unduplicated*
35 *pupils for the 2013–14 fiscal year by the sum of the total pupil*
36 *enrollment for the 2013–14 fiscal year.*

37 (B) *For the 2014–15 fiscal year, divide the sum of unduplicated*
38 *pupils for the 2013–14 and 2014–15 fiscal years by the sum of the*
39 *total pupil enrollment for the 2013–14 and 2014–15 fiscal years.*

1 (C) For the 2015–16 fiscal year and each fiscal year thereafter,
2 divide the sum of unduplicated pupils for the current fiscal year
3 and the two prior fiscal years by the sum of the total pupil
4 enrollment for the current fiscal year and the two prior fiscal years.

5 (c) Commencing with the 2013–14 fiscal year and each fiscal
6 year thereafter, the Superintendent shall annually calculate a local
7 control funding formula grant for each school district and charter
8 school in the state pursuant to this section.

9 (d) The Superintendent shall compute a grade span adjusted
10 base grant equal to the total of the following amounts:

11 (1) For the 2013–14 fiscal year, a base grant of:

12 (A) Six thousand eight hundred forty-five dollars (\$6,845) for
13 average daily attendance in kindergarten and grades 1 to 3,
14 inclusive.

15 (B) Six thousand nine hundred forty-seven dollars (\$6,947) for
16 average daily attendance in grades 4 to 6, inclusive.

17 (C) Seven thousand one hundred fifty-four dollars (\$7,154) for
18 average daily attendance in grades 7 and 8.

19 (D) Eight thousand two hundred eighty-nine dollars (\$8,289)
20 for average daily attendance in grades 9 to 12, inclusive.

21 (2) In each year the grade span adjusted base grants in
22 paragraph (1) shall be adjusted by the percentage change in the
23 annual average value of the Implicit Price Deflator for State and
24 Local Government Purchases of Goods and Services for the United
25 States, as published by the United States Department of Commerce
26 for the 12-month period ending in the third quarter of the prior
27 fiscal year. This percentage change shall be determined using the
28 latest data available as of May 10 of the preceding fiscal year
29 compared with the annual average value of the same deflator for
30 the 12-month period ending in the third quarter of the second
31 preceding fiscal year, using the latest data available as of May 10
32 of the preceding fiscal year, as reported by the Department of
33 Finance.

34 (3) (A) The Superintendent shall compute an additional
35 adjustment to the kindergarten and grades 1 to 3, inclusive, base
36 grant as adjusted for inflation pursuant to paragraph (2) equal to
37 10.4 percent. The additional grant shall be calculated by
38 multiplying the kindergarten and grades 1 to 3, inclusive, base
39 grant, as adjusted by paragraph (2), by 10.4 percent.

1 (B) Until paragraph (4) of subdivision (b) of Section 42238.03
2 is effective, as a condition of the receipt of funds in this paragraph,
3 a school district shall make progress toward maintaining an
4 average class enrollment of not more than 24 pupils for each
5 schoolsites in kindergarten and grades 1 to 3, inclusive, unless a
6 collectively bargained alternative annual average class enrollment
7 for each schoolsite in those grades is agreed to by the school
8 district, pursuant to the following calculation:

9 (i) Determine a school district's average class enrollment for
10 each schoolsite for kindergarten and grades 1 to 3, inclusive, in
11 the prior year. For the 2013–14 fiscal year, this amount shall be
12 the average class enrollment for each schoolsite for kindergarten
13 and grades 1 to 3, inclusive, in the 2012–13 fiscal year.

14 (ii) Determine a school district's proportion of total need
15 pursuant to paragraph (2) of subdivision (b) of Section 42238.03.

16 (iii) Determine the percentage of the need calculated in clause
17 (ii) that is met by funding provided to the school district pursuant
18 to paragraph (3) of subdivision (b) of Section 42238.03.

19 (iv) Determine the difference between the amount computed
20 pursuant to clause (i) and an average class enrollment of not more
21 than 24 pupils.

22 (v) Calculate a current year average class enrollment adjustment
23 for each schoolsite for kindergarten and grades 1 to 3, inclusive,
24 equal to the adjustment calculated in clause (iv) multiplied by the
25 percentage determined pursuant to clause (iii).

26 (C) School districts that have an average class enrollment for
27 each schoolsite for kindergarten and grades 1 to 3, inclusive, of
28 24 pupils or less for each schoolsite in the 2012–13 fiscal year,
29 shall be exempt from the requirements of subparagraph (B) so
30 long as the school district continues to maintain an average class
31 enrollment for each schoolsite for kindergarten and grades 1 to
32 3, inclusive, of not more than 24 pupils, unless a collectively
33 bargained alternative ratio is agreed to by the school district.

34 (D) Upon full implementation of the local control funding
35 formula, as a condition of the receipt of funds in this paragraph,
36 all school districts shall maintain an average class enrollment for
37 each schoolsite for kindergarten and grades 1 to 3, inclusive, of
38 not more than 24 pupils for each schoolsite in kindergarten and
39 grades 1 to 3, inclusive, unless a collectively bargained alternative
40 ratio is agreed to by the school district.

1 (E) The average class enrollment requirement for each
2 schoolsite for kindergarten and grades 1 to 3, inclusive, established
3 pursuant to this paragraph shall not be subject to waiver by the
4 state board pursuant to Section 33050 or by the Superintendent.

5 (F) The Controller shall include the instructions necessary to
6 enforce this paragraph in the audit guide required by Section
7 14502.1. The instructions shall include, but are not necessarily
8 limited to, procedures for determining if the average class
9 enrollment for each schoolsite for kindergarten and grades 1 to
10 3, inclusive, exceeds 24 pupils, or an alternative average class
11 enrollment for each schoolsite pursuant to a collectively bargained
12 alternative ratio. The procedures for determining average class
13 enrollment for each schoolsite shall include criteria for employing
14 sampling.

15 (4) The Superintendent shall compute an additional adjustment
16 to the base grant for grades 9 to 12, inclusive, as adjusted for
17 inflation pursuant to paragraph (2), equal to 2.6 percent. The
18 additional grant shall be calculated by multiplying the base grant
19 for grades 9 to 12, inclusive, as adjusted by paragraph (2), by 2.6
20 percent.

21 (e) (1) The Superintendent shall compute a supplemental grant
22 add-on equal to 20 percent of the base grants as specified in
23 subparagraphs (A) to (D), inclusive, of paragraph (1) of
24 subdivision (d), as adjusted by paragraphs (2) to (4), inclusive, of
25 subdivision (d), for each school district's or charter school's
26 percentage of unduplicated pupils calculated pursuant to
27 paragraph (5) of subdivision (b). The supplemental grant shall be
28 calculated by multiplying the base grants as specified in
29 subparagraphs (A) to (D), inclusive, of paragraph (1), as adjusted
30 by paragraphs (2) to (4), inclusive, of subdivision (d), by 20 percent
31 and by the percentage of unduplicated pupils calculated pursuant
32 to paragraph (5) of subdivision (b) in that school district or charter
33 school. The supplemental grant shall be expended in accordance
34 with the regulations adopted pursuant to Section 42238.07.

35 (2) If a pupil has been redesignated as fluent English proficient
36 pursuant to Section 313 before this section is operative and a
37 school district or charter school has not already received, for the
38 first fiscal year after the pupil has been redesignated as fluent
39 English proficient, 50 percent of, and for the second fiscal year
40 after the pupil has been redesignated as fluent English proficient,

1 25 percent of, the supplemental grant calculated pursuant to
2 paragraph (1), the school district or charter school shall receive
3 the applicable percentage of the supplemental grant calculated
4 pursuant to paragraph (1) for the pupil redesignated as fluent
5 English proficient until it has received the applicable percentage
6 of the supplemental grant for the applicable fiscal year.

7 (f) (1) The Superintendent shall compute a concentration grant
8 add-on equal to 50 percent of the base grants as specified in
9 subparagraphs (A) to (D), inclusive, of paragraph (1) of
10 subdivision (d), as adjusted by paragraphs (2) to (4), inclusive, of
11 subdivision (d), for each school district's or charter school's
12 percentage of unduplicated pupils calculated pursuant to
13 paragraph (5) of subdivision (b) in excess of 55 percent of the
14 school district's or charter school's total enrollment. The
15 concentration grant shall be calculated by multiplying the base
16 grants as specified in subparagraphs (A) to (D), inclusive, of
17 paragraph (1) of subdivision (d), as adjusted by paragraphs (2)
18 to (4), inclusive, of subdivision (d), by 50 percent and by the
19 percentage of unduplicated pupils calculated pursuant to
20 paragraph (5) of subdivision (b) in excess of 55 percent of the total
21 enrollment in that school district or charter school.

22 (2) For a charter school physically located in only one school
23 district, the percentage of unduplicated pupils calculated pursuant
24 to paragraph (5) of subdivision (b) in excess of 55 percent used
25 to calculate concentration grants shall not exceed the percentage
26 of unduplicated pupils calculated pursuant to paragraph (5) of
27 subdivision (b) in excess of 55 percent of the school district in
28 which the charter school is physically located. For a charter school
29 physically located in more than one school district, the charter
30 school's percentage of unduplicated pupils calculated pursuant
31 to paragraph (5) of subdivision (b) in excess of 55 percent used
32 to calculate concentration grants shall not exceed that of the school
33 district with the highest percentage of unduplicated pupils
34 calculated pursuant to paragraph (5) of subdivision (b) in excess
35 of 55 percent of the school districts in which the charter school
36 has a school facility. The concentration grant shall be expended
37 in accordance with the regulations adopted pursuant to Section
38 42238.07.

39 (3) If a pupil has been redesignated as fluent English proficient
40 pursuant to Section 313 before this section is operative and a

1 school district or charter school has not already received, for the
2 first fiscal year after the pupil has been redesignated as fluent
3 English proficient, 50 percent of, and for the second fiscal year
4 after the pupil has been redesignated as fluent English proficient,
5 25 percent of, the concentration grant calculated pursuant to
6 paragraph (1), the school district or charter school shall receive
7 the applicable percentage of the concentration grant calculated
8 pursuant to paragraph (1) for the pupil redesignated as fluent
9 English proficient until it has received the applicable percentage
10 of the concentration grant for the applicable fiscal year.

11 (g) The Superintendent shall compute an add-on to the total
12 sum of a school district's or charter school's base, supplemental,
13 and concentration grants equal to the amount of funding a school
14 district or charter school received from funds allocated pursuant
15 to the Targeted Instructional Improvement Block Grant program,
16 as set forth in Article 6 (commencing with Section 41540) of
17 Chapter 3.2, for the 2012–13 fiscal year, as that article read on
18 January 1, 2013. A school district or charter school shall not
19 receive a total funding amount from this add-on greater than the
20 total amount of funding received by the school district or charter
21 school from that program in the 2012–13 fiscal year. The amount
22 computed pursuant to this subdivision shall reflect the reduction
23 specified in paragraph (2) of subdivision (a) of Section 42238.03.

24 (h) The Superintendent shall compute an add-on to the total
25 sum of a school district's or charter school's base, supplemental,
26 and concentration grants equal to the amount of funding a school
27 district or charter school received from funds allocated pursuant
28 to the Home-to-School Transportation program, as set forth in
29 former Article 2 (commencing with Section 39820) of Chapter 1
30 of Part 23.5, former Article 10 (commencing with Section 41850)
31 of Chapter 5, and the Small School District Transportation
32 program, as set forth in former Article 4.5 (commencing with
33 Section 42290), for the 2012–13 fiscal year. A school district or
34 charter school shall not receive a total funding amount from this
35 add-on greater than the total amount received by the school district
36 or charter school for those programs in the 2012–13 fiscal year.
37 The amount computed pursuant to this subdivision shall reflect
38 the reduction specified in paragraph (2) of subdivision (a) of
39 Section 42238.03.

1 (i) (1) *The sum of the local control funding formula rates*
2 *computed pursuant to subdivisions (c) to (f), inclusive, shall be*
3 *multiplied by:*

4 (A) *For school districts, the average daily attendance of the*
5 *school district in the corresponding grade level ranges computed*
6 *pursuant to Section 42238.05, excluding the average daily*
7 *attendance computed pursuant to paragraph (2) of subdivision (a)*
8 *of Section 42238.05 for purposes of the computation specified in*
9 *subdivision (d).*

10 (B) *For charter schools, the total current year average daily*
11 *attendance in the corresponding grade level ranges.*

12 (2) *The amount computed pursuant to Article 4 (commencing*
13 *with Section 42280) shall be added to the amount computed*
14 *pursuant to paragraphs (1) to (4), inclusive, of subdivision (d), as*
15 *multiplied by subparagraph (A) or (B) of paragraph (1), as*
16 *appropriate.*

17 (j) *The Superintendent shall adjust the sum of each school*
18 *district's or charter school's amount determined in subdivisions*
19 *(g) to (i), inclusive, pursuant to the calculation specified in Section*
20 *42238.03, less the sum of the following:*

21 (1) (A) *For school districts, the property tax revenue received*
22 *pursuant to Chapter 3.5 (commencing with Section 75) and Chapter*
23 *6 (commencing with Section 95) of Part 0.5 of Division 1 of the*
24 *Revenue and Taxation Code.*

25 (B) *For charter schools, the in-lieu property tax amount*
26 *provided to a charter school pursuant to Section 47635.*

27 (2) *The amount, if any, received pursuant to Part 18.5*
28 *(commencing with Section 38101) of Division 2 of the Revenue*
29 *and Taxation Code.*

30 (3) *The amount, if any, received pursuant to Chapter 3*
31 *(commencing with Section 16140) of Part 1 of Division 4 of Title*
32 *2 of the Government Code.*

33 (4) *Prior years' taxes and taxes on the unsecured roll.*

34 (5) *Fifty percent of the amount received pursuant to Section*
35 *41603.*

36 (6) *The amount, if any, received pursuant to the Community*
37 *Redevelopment Law (Part 1 (commencing with Section 33000) of*
38 *Division 24 of the Health and Safety Code), less any amount*
39 *received pursuant to Section 33401 or 33676 of the Health and*
40 *Safety Code that is used for land acquisition, facility construction,*

1 *reconstruction, or remodeling, or deferred maintenance and that*
2 *is not an amount received pursuant to Section 33492.15, or*
3 *paragraph (4) of subdivision (a) of Section 33607.5, or Section*
4 *33607.7 of the Health and Safety Code that is allocated exclusively*
5 *for educational facilities.*

6 *(7) The amount, if any, received pursuant to Sections 34177,*
7 *34179.5, 34179.6, 34183, and 34188 of the Health and Safety*
8 *Code.*

9 *(8) Revenue received pursuant to subparagraph (B) of*
10 *paragraph (3) of subdivision (e) of Section 36 of Article XIII of*
11 *the California Constitution.*

12 *(k) A school district shall annually transfer to each of its charter*
13 *schools funding in lieu of property taxes pursuant to Section 47635.*

14 *(l) (1) Nothing in this section shall be interpreted to authorize*
15 *a school district that receives funding on behalf of a charter school*
16 *pursuant to Section 47651 to redirect this funding for another*
17 *purpose unless otherwise authorized in law pursuant to paragraph*
18 *(2) or pursuant to an agreement between the charter school and*
19 *its chartering authority.*

20 *(2) A school district that received funding on behalf of a locally*
21 *funded charter school in the 2012–13 fiscal year pursuant to*
22 *paragraph (2) of subdivision (b) of Section 42605, Section 42606,*
23 *and subdivision (b) of Section 47634.1, as those sections read on*
24 *January 1, 2013, or a school district that was required to pass*
25 *through funding to a conversion charter school in the 2012–13*
26 *fiscal year pursuant to paragraph (2) of subdivision (b) of Section*
27 *42606, as that section read on January 1, 2013, may annually*
28 *redirect for another purpose a percentage of the amount of the*
29 *funding received on behalf of that charter school. The percentage*
30 *of funding that may be redirected shall be determined pursuant to*
31 *the following computation:*

32 *(A) (i) Determine the sum of the need fulfilled for that charter*
33 *school pursuant to paragraph (3) of subdivision (b) of Section*
34 *42238.03 in the then current fiscal year for the charter school.*

35 *(ii) Determine the sum of the need fulfilled in every fiscal year*
36 *before the then current fiscal year pursuant to paragraph (3) of*
37 *subdivision (b) of Section 42238.03 adjusted for changes in average*
38 *daily attendance pursuant to paragraph (3) of subdivision (a) of*
39 *Section 42238.03 for the charter school.*

1 (iii) Subtract the amount computed pursuant to paragraphs (1)
2 to (3), inclusive, of subdivision (a) of Section 42238.03 from the
3 amount computed for that charter school under the local control
4 funding formula entitlement computed pursuant to subdivision (i).

5 (iv) Compute a percentage by dividing the sum of the amounts
6 computed pursuant to clauses (i) and (ii) by the amount computed
7 pursuant to clause (iii).

8 (B) Multiply the percentage computed pursuant to subparagraph
9 (A) by the amount of funding the school district received on behalf
10 of the charter school in the 2012–13 fiscal year pursuant to
11 paragraph (2) of subdivision (b) of Section 42605, Section 42606,
12 and subdivision (b) of Section 47634.1, as those sections read on
13 January 1, 2013.

14 (C) The maximum amount that may be redirected shall be the
15 lesser of the amount of funding the school district received on
16 behalf of the charter school in the 2012–13 fiscal year pursuant
17 to paragraph (2) of subdivision (b) of Section 42605, Section
18 42606, and subdivision (b) of Section 47634.1, as those sections
19 read on January 1, 2013, or the amount computed pursuant to
20 subparagraph (B).

21 (3) Commencing with the 2013–14 fiscal year, a school district
22 operating one or more affiliated charter schools shall provide
23 each affiliated charter school schoolsite with no less than the
24 amount of funding the schoolsite received pursuant to the charter
25 school block grant in the 2012–13 fiscal year.

26 (m) Any calculations in law that are used for purposes of
27 determining if a local educational agency is an excess tax school
28 entity or basic aid school district, including, but not limited to,
29 this section and Sections 42238.03, 41544, 47632, 47660, 47663,
30 48310, and 48359.5, and Section 95 of the Revenue and Taxation
31 Code, shall be made exclusive of the revenue received pursuant
32 to subparagraph (B) of paragraph (3) of subdivision (e) of Section
33 36 of Article XIII of the California Constitution.

34 (n) The funds apportioned pursuant to this section and Section
35 42238.03 shall be available to implement the activities required
36 pursuant to Article 4.5 (commencing with Section 52060) of
37 Chapter 6.1 of Part 28 of Division 4.

38 (o) A school district that does not receive an apportionment of
39 state funds pursuant to this section, as implemented pursuant to
40 Section 42238.03, excluding funds apportioned pursuant to the

1 *requirements of subdivision (e) of Section 42238.03 shall be*
2 *considered a “basic aid school district” or an “excess tax entity.”*

3 *(p) This section shall become operative upon the adoption of*
4 *statewide pupil redesignation standards after January 1, 2015, by*
5 *statute or regulation, or on July 1, 2018, whichever occurs first.*

6 ~~SEC. 3.~~

7 SEC. 5. Section 52060 of the Education Code is amended to
8 read:

9 52060. (a) On or before July 1, 2014, the governing board of
10 each school district shall adopt a local control and accountability
11 plan using a template adopted by the state board.

12 (b) A local control and accountability plan adopted by the
13 governing board of a school district shall be effective for a period
14 of three years, and shall be updated on or before July 1 of each
15 year.

16 (c) A local control and accountability plan adopted by the
17 governing board of a school district shall include, for the school
18 district and each school within the school district, both of the
19 following:

20 (1) A description of the annual goals, for all pupils and each
21 subgroup of pupils identified pursuant to Section 52052, to be
22 achieved for each of the state priorities identified in subdivision
23 (d) and for any additional local priorities identified by the
24 governing board of the school district. For purposes of this article,
25 a subgroup of pupils identified pursuant to Section 52052 shall be
26 a numerically significant pupil subgroup as specified in paragraphs
27 (2) and (3) of subdivision (a) of Section 52052.

28 (2) A description of the specific actions the school district will
29 take during each year of the local control and accountability plan
30 to achieve the goals identified in paragraph (1), including the
31 enumeration of any specific actions necessary for that year to
32 correct any deficiencies in regard to the state priorities listed in
33 paragraph (1) of subdivision (d). The specific actions shall not
34 supersede the provisions of existing local collective bargaining
35 agreements within the jurisdiction of the school district.

36 (d) All of the following are state priorities:

37 (1) The degree to which the teachers of the school district are
38 appropriately assigned in accordance with Section 44258.9, and
39 fully credentialed in the subject areas, and, for the pupils they are
40 teaching, every pupil in the school district has sufficient access to

1 the standards-aligned instructional materials as determined pursuant
2 to Section 60119, and school facilities are maintained in good
3 repair as specified in subdivision (d) of Section 17002.

4 (2) (A) Implementation of the academic content and
5 performance standards adopted by the state board, including how
6 the programs and services will enable English learners to access
7 the common core academic content standards adopted pursuant to
8 Section 60605.8 and the English language development standards
9 adopted pursuant to Section 60811.3, as that section read on June
10 30, 2013, for purposes of gaining academic content knowledge
11 and English language proficiency.

12 ~~(B) As a condition for receiving supplemental and concentration~~
13 ~~grant add-ons pursuant to Section 42238.02 for pupils redesignated~~
14 ~~as fluent English proficient, the~~ *The school district shall identify*
15 *in the local control and accountability plan required by this section*
16 any specialized programs or services provided to pupils
17 redesignated as fluent English proficient in order for them to
18 maintain proficiency in English and access the common core
19 academic content standards adopted pursuant to Section 60605.8
20 and a broad course of study that includes all of the subject areas
21 described in Section 51210 and subdivisions (a) to (i), inclusive,
22 of Section 51220, as applicable.

23 (3) Parental involvement, including efforts the school district
24 makes to seek parent input in making decisions for the school
25 district and each individual schoolsite, and including how the
26 school district will promote parental participation in programs for
27 unduplicated pupils and individuals with exceptional needs.

28 (4) Pupil achievement, as measured by all of the following, as
29 applicable:

30 (A) Statewide assessments administered pursuant to Article 4
31 (commencing with Section 60640) of Chapter 5 of Part 33 or any
32 subsequent assessment, as certified by the state board.

33 (B) The Academic Performance Index, as described in Section
34 52052.

35 (C) The percentage of pupils who have successfully completed
36 courses that satisfy the requirements for entrance to the University
37 of California and the California State University, or career technical
38 education sequences or programs of study that align with state
39 board-approved career technical educational standards and
40 frameworks, including, but not limited to, those described in

- 1 subdivision (a) of Section 52302, subdivision (a) of Section
2 52372.5, or paragraph (2) of subdivision (e) of Section 54692.
- 3 (D) The percentage of English learner pupils who make progress
4 toward English proficiency as measured by the California English
5 Language Development Test or any subsequent assessment of
6 English proficiency, as certified by the state board.
- 7 (E) The English learner reclassification rate.
- 8 (F) The percentage of pupils who have passed an advanced
9 placement examination with a score of three or higher.
- 10 (G) The percentage of pupils who participate in, and demonstrate
11 college preparedness pursuant to, the Early Assessment Program,
12 as described in Chapter 6 (commencing with Section 99300) of
13 Part 65 of Division 14 of Title 3, or any subsequent assessment of
14 college preparedness.
- 15 (5) Pupil engagement, as measured by all of the following, as
16 applicable:
- 17 (A) School attendance rates.
- 18 (B) Chronic absenteeism rates.
- 19 (C) Middle school dropout rates, as described in paragraph (3)
20 of subdivision (a) of Section 52052.1.
- 21 (D) High school dropout rates.
- 22 (E) High school graduation rates.
- 23 (6) School climate, as measured by all of the following, as
24 applicable:
- 25 (A) Pupil suspension rates.
- 26 (B) Pupil expulsion rates.
- 27 (C) Other local measures, including surveys of pupils, parents,
28 and teachers on the sense of safety and school connectedness.
- 29 (7) The extent to which pupils have access to, and are enrolled
30 in, a broad course of study that includes all of the subject areas
31 described in Section 51210 and subdivisions (a) to (i), inclusive,
32 of Section 51220, as applicable, including the programs and
33 services developed and provided to unduplicated pupils and
34 individuals with exceptional needs, and the program and services
35 that are provided to benefit these pupils as a result of the funding
36 received pursuant to Section 42238.02, as implemented by Section
37 42238.03.
- 38 (8) Pupil outcomes, if available, in the subject areas described
39 in Section 51210 and subdivisions (a) to (i), inclusive, of Section
40 51220, as applicable.

(e) For purposes of the descriptions required by subdivision (c), the governing board of a school district may consider qualitative information, including, but not limited to, findings that result from school quality reviews conducted pursuant to subparagraph (J) of paragraph (4) of subdivision (a) of Section 52052 or any other reviews.

(f) To the extent practicable, data reported in a local control and accountability plan shall be reported in a manner consistent with how information is reported on a school accountability report card.

(g) The governing board of a school district shall consult with teachers, principals, administrators, other school personnel, local bargaining units of the school district, parents, and pupils in developing a local control and accountability plan.

(h) A school district may identify local priorities, goals in regard to the local priorities, and the method for measuring the school district's progress toward achieving those goals.

~~SEC. 4.~~

SEC. 6. Section 52066 of the Education Code is amended to read:

52066. (a) On or before July 1, 2014, each county superintendent of schools shall develop, and present to the county board of education for adoption, a local control and accountability plan using a template adopted by the state board.

(b) A local control and accountability plan adopted by the county board of education shall be effective for a period of three years, and shall be updated on or before July 1 of each year.

(c) A local control and accountability plan adopted by the county board of education shall include, for each school or program operated by the county superintendent of schools, both of the following:

(1) A description of the annual goals, for all pupils and each subgroup of pupils identified pursuant to Section 52052, to be achieved for each of the state priorities identified in subdivision (d), as applicable to the pupils served, and for any additional local priorities identified by the county board of education.

(2) A description of the specific actions the county superintendent of schools will take during each year of the local control and accountability plan to achieve the goals identified in paragraph (1), including the enumeration of any specific actions necessary for that year to correct any deficiencies in regard to the

1 state priorities listed in paragraph (1) of subdivision (d). The
2 specific actions shall not supersede the provisions of existing local
3 collective bargaining agreements within the jurisdiction of the
4 county superintendent of schools.

5 (d) All of the following are state priorities:

6 (1) The degree to which the teachers in the schools or programs
7 operated by the county superintendent of schools are appropriately
8 assigned in accordance with Section 44258.9 and fully credentialed
9 in the subject areas, and, for the pupils they are teaching, every
10 pupil in the schools or programs operated by the county
11 superintendent of schools has sufficient access to the
12 standards-aligned instructional materials as determined pursuant
13 to Section 60119, and school facilities are maintained in good
14 repair as specified in subdivision (d) of Section 17002.

15 (2) (A) Implementation of the academic content and
16 performance standards adopted by the state board, including how
17 the programs and services will enable English learners to access
18 the common core academic content standards adopted pursuant to
19 Section 60605.8 and the English language development standards
20 adopted pursuant to Section 60811.3, as that section read on June
21 30, 2013, for purposes of gaining academic content knowledge
22 and English language proficiency.

23 ~~(B) As a condition for receiving supplemental and concentration~~
24 ~~grants pursuant to Section 2574 for pupils redesignated as fluent~~
25 ~~English proficient, the~~ The county superintendent of schools shall
26 identify *in the local control and accountability plan required by*
27 *this section* any specialized programs or services provided to pupils
28 redesignated as fluent English proficient in order for them to
29 maintain proficiency in English and access the common core
30 academic content standards adopted pursuant to Section 60605.8
31 and a broad course of study that includes all of the subject areas
32 described in Section 51210 and subdivisions (a) to (i), inclusive,
33 of Section 51220, as applicable.

34 (3) Parental involvement, including efforts the county
35 superintendent of schools makes to seek parent input in making
36 decisions for each individual schoolsite and program operated by
37 a county superintendent of schools, and including how the county
38 superintendent of schools will promote parental participation in
39 programs for unduplicated pupils and individuals with exceptional
40 needs.

(4) Pupil achievement, as measured by all of the following, as applicable:

(A) Statewide assessments administered pursuant to Article 4 (commencing with Section 60640) of Chapter 5 of Part 33 or any subsequent assessment, as certified by the state board.

(B) The Academic Performance Index, as described in Section 52052.

(C) The percentage of pupils who have successfully completed courses that satisfy the requirements for entrance to the University of California and the California State University, or career technical education sequences or programs of study that align with state board-approved career technical education standards and frameworks, including, but not limited to, those described in subdivision (a) of Section 52302, subdivision (a) of Section 52372.5, or paragraph (2) of subdivision (e) of Section 54692.

(D) The percentage of English learner pupils who make progress toward English proficiency as measured by the California English Language Development Test or any subsequent assessment of English proficiency, as certified by the state board.

(E) The English learner reclassification rate.

(F) The percentage of pupils who have passed an advanced placement examination with a score of three or higher.

(G) The percentage of pupils who participate in, and demonstrate college preparedness pursuant to, the Early Assessment Program, as described in Chapter 6 (commencing with Section 99300) of Part 65 of Division 14 of Title 3, or any subsequent assessment of college preparedness.

(5) Pupil engagement, as measured by all of the following, as applicable:

(A) School attendance rates.

(B) Chronic absenteeism rates.

(C) Middle school dropout rates, as described in paragraph (3) of subdivision (a) of Section 52052.1.

(D) High school dropout rates.

(E) High school graduation rates.

(6) School climate, as measured by all of the following, as applicable:

(A) Pupil suspension rates.

(B) Pupil expulsion rates.

1 (C) Other local measures, including surveys of pupils, parents,
2 and teachers on the sense of safety and school connectedness.

3 (7) The extent to which pupils have access to, and are enrolled
4 in, a broad course of study that includes all of the subject areas
5 described in Section 51210 and subdivisions (a) to (i), inclusive,
6 of Section 51220, as applicable, including the programs and
7 services developed and provided to unduplicated pupils and
8 individuals with exceptional needs, and the program and services
9 that are provided to benefit these pupils as a result of the funding
10 received pursuant to Section 42238.02, as implemented by Section
11 42238.03.

12 (8) Pupil outcomes, if available, in the subject areas described
13 in Section 51210 and subdivisions (a) to (i), inclusive, of Section
14 51220, as applicable.

15 (9) How the county superintendent of schools will coordinate
16 instruction of expelled pupils pursuant to Section 48926.

17 (10) How the county superintendent of schools will coordinate
18 services for foster children, including, but not limited to, all of the
19 following:

20 (A) Working with the county child welfare agency to minimize
21 changes in school placement.

22 (B) Providing education-related information to the county child
23 welfare agency to assist the county child welfare agency in the
24 delivery of services to foster children, including, but not limited
25 to, educational status and progress information that is required to
26 be included in court reports.

27 (C) Responding to requests from the juvenile court for
28 information and working with the juvenile court to ensure the
29 delivery and coordination of necessary educational services.

30 (D) Establishing a mechanism for the efficient expeditious
31 transfer of health and education records and the health and
32 education passport.

33 (e) For purposes of the descriptions required by subdivision (c),
34 the county board of education may consider qualitative information,
35 including, but not limited to, findings that result from school quality
36 reviews conducted pursuant to subparagraph (J) of paragraph (4)
37 of subdivision (a) of Section 52052 or any other reviews.

38 (f) To the extent practicable, data reported in a local control and
39 accountability plan shall be reported in a manner consistent with
40 how information is reported on a school accountability report card.

1 (g) The county superintendent of schools shall consult with
2 teachers, principals, administrators, other school personnel, local
3 bargaining units of the county office of education, parents, and
4 pupils in developing a local control and accountability plan.

5 (h) A county board of education may identify local priorities,
6 goals in regard to the local priorities, and the method for measuring
7 the county superintendent of schools' progress toward achieving
8 those goals.

9 ~~SEC. 5.~~

10 *SEC. 7.* If the Commission on State Mandates determines that
11 this act contains costs mandated by the state, reimbursement to
12 local agencies and school districts for those costs shall be made
13 pursuant to Part 7 (commencing with Section 17500) of Division
14 4 of Title 2 of the Government Code.